Saskatchewan - Dept. Rept's.

Saskatchewan
Consumer and
Commercial
Affairs

Annual Report
1980-81

Rent Appeal Commission

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June 25, 1981.

To His Honour,
The Honourable C. Irwin McIntosh,
Lieutenant Governor of the Province of Saskatchewan.

Sir:

It is my honour and privilege to submit the Annual Report of the Rent Appeal Commission for the fiscal year ending March 31, 1981.

Respectfully submitted,

Murray J. Koskie,
Minister Responsible for the
Rent Appeal Commission.

June 25, 1981.

To the Honourable Murray J. Koskie,
Minister Responsible for the
Rent Appeal Commission.

Dear Sir:

I have the honour to submit the Annual Report of the Rent Appeal Commission for the fiscal year ending March 31, 1981.

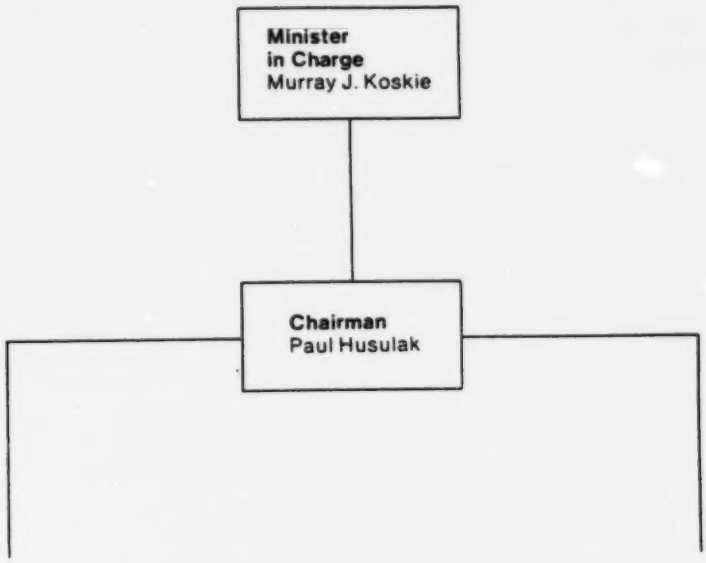
Respectfully submitted,

P. Husulak

P. Husulak,
Chairman,
Rent Appeal Commission.

Rent Appeal Commission Organization Chart

(as of March 31, 1981)



Commission Staff

R. Wysoskey, Executive Secretary*

Commission Members

P. Adams, Vice Chairperson
C. Amundrud, Regina
T. Banda, Regina
M. P. Bolen, Regina
G. Eamer, Saskatoon
R. Mills, Yorkton
R. Setter, Regina
W. Sturby, Regina

*Transferred to the Office of the Rentalsman during March, 1981.

Introduction

The Rent Appeal Commission was established January 28, 1976 when Bill 16 to amend The Residential Tenancies Act, 1973 was proclaimed law.

Under the amended Act, the Lieutenant Governor in Council may appoint the members of the Commission, fix the quorum required by the Commission for the transaction of its business and appoint one of the members to be Chairman and another member to be Vice Chairman.

Commissioners are assigned to participate and conduct the business of the Commission on a per diem basis, as the need arises.

History of the Commission

Although the Rent Appeal Commission was established January 28, 1976, it did not commence its activities until the first Chairman (Leslie Shaw) was appointed July 13, 1976. Eight other members were appointed to the Commission and by August 11, 1976, the Commission had approved a set of regulations to govern its procedures and hearings.

On September 9, 1976, the Commission held its first appeal hearing in the City of Regina and began to deal with a considerable backlog of appeals because the Office of the Rentalsman had been operating since February of that year.

In the original key appeals, the Commission made a considerable effort to explain fully and clearly the major issues surrounding Rent Control. It also performed an educational role explaining the purpose of Rent Control.

Purpose of the Commission

The Legislature's intent was to make the Rent Appeal Commission an independent body to provide a process of appeal from Orders issued by the Rentalsman for landlords or tenants. The appeal system followed by the Commission provides an avenue for quick, easy and inexpensive resolution of matters pertaining to rent or disputes.

Since the Commission was established to adjudicate complaints on Orders or decisions of the Rentalsman, the Commission views itself as part of the whole process, accessible to landlord and tenant alike, but needed only when a dispute cannot be resolved at a different level.

Persons affected by an Order of the Commission may appeal to the Court of Appeal on a question of law or jurisdiction.

The most critical element of the Commission's work is that the process is, and is seen to be, fair and impartial to all parties who come before the Commission. To facilitate this process, the Commission strives for informal hearings where all people, in the majority of cases without a lawyer, are comfortable. Commission decisions are based on the law and what seems fair and equitable in each individual case.

The Year Under Review

Regina and Saskatoon are the only two centres that remain under Rent Control. Accordingly, the majority of hearings were held in these two cities. However, in centres under Rent Review, decisions by the Provincial Mediation Board are appealable to the Rent Appeal Commission and have resulted in hearings in Meadow Lake, Prince Albert, Yorkton, Moose Jaw and North Battleford. Usually, not less than three nor more than five Commissioners hear each appeal. A policy of including Commissioners from Regina, Saskatoon and Yorkton for hearing panels has ensured uniformity in the decisions handed down by the Commission.

The number of appeals heard by the Commission decreased by 1.9% from the previous year. Appeals from landlords were down by 23.3% while appeals from tenants were up 25.5%.

Provincial Appeals

	Fiscal Year ended March 31/79	Fiscal Year ended March 31/80	Fiscal Year ended March 31/81
Landlord	103	57	42
Tenant	19	44	53
	122	101	95

Origin of Appeals by Locality

	Fiscal Year ended March 31/79		Fiscal Year ended March 31/80		Fiscal Year ended March 31/81	
	No.	%	No.	%	No.	%
Regina		32.0		21.8		24.1
Landlord	35		13		10	
Tenant	4		9		13	
Saskatoon		58.2		70.2		70.5
Landlord	60		39		29	
Tenant	11		32		38	
Prince Albert		5.7		3.0		3.2
Landlord	4		1		1	
Tenant	3		2		2	
Moose Jaw		4.1		1.0		1.1
Landlord	4		1		1	
Tenant	1		–		–	
Lloydminster		–		1.0		–
Landlord	–		1		–	
Tenant	–		–		–	
North Battleford		–		1.0		1.1
Landlord	–		–		1	
Tenant	–		1		–	
Weyburn		–		2.0		–
Landlord	–		2		–	
Tenant	–		–		–	
	122	100%	101	100%	95	100%

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Rent Appeal Commission

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June 25, 1982.

To His Honour, The Honourable C. Irwin McIntosh,
Lieutenant Governor of the Province of Saskatchewan.

Sir:

I have the honour to submit herewith the Annual Report of the Rent Appeal Commission for the fiscal year ending March 31, 1982.

Respectfully submitted,

Jack Sandberg,
Minister Responsible for the
Rent Appeal Commission.

June 25, 1982.

To The Honourable Jack Sandberg,
Minister Responsible for the
Rent Appeal Commission.

Dear Sir:

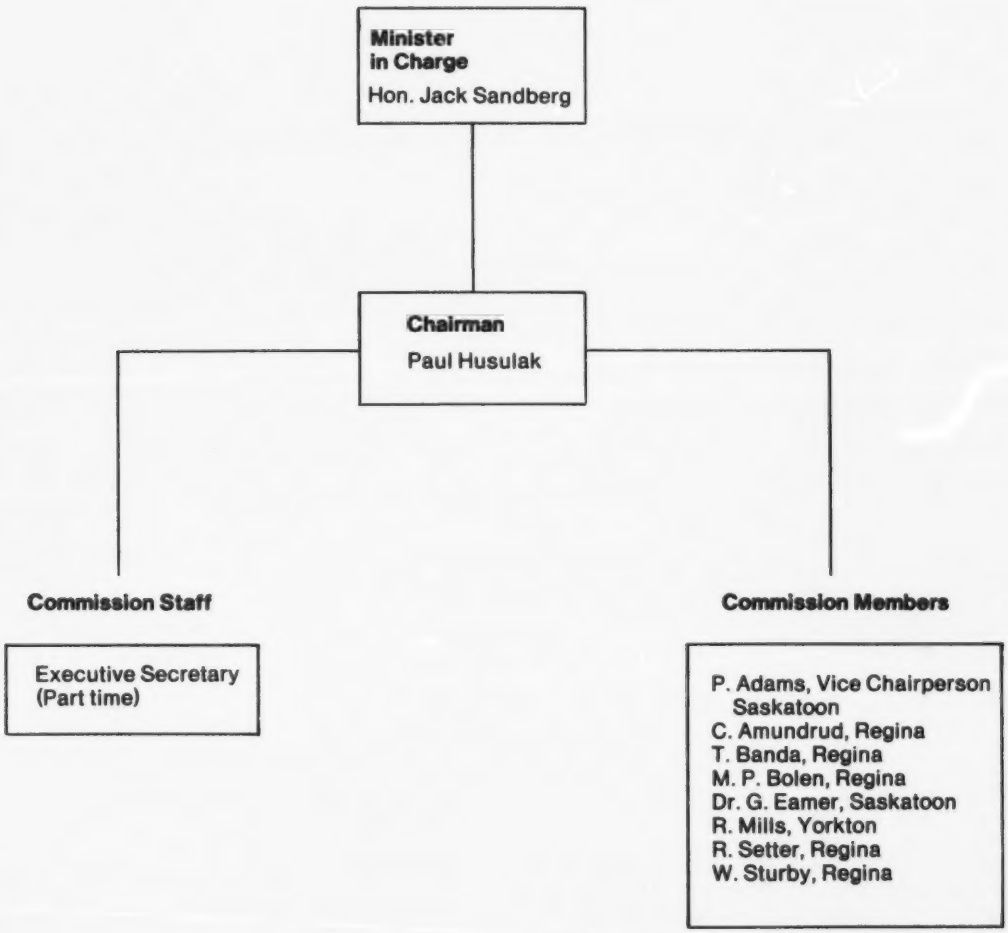
I have the honour to submit the Annual Report of the Rent Appeal Commission for the fiscal year ending March 31, 1982.

Respectfully submitted,

P. Husulak,
Chairman,
Rent Appeal Commission.

Rent Appeal Commission Organization Chart

(March 31, 1982)



Introduction

The Rent Appeal Commission was established January 28, 1976 through an amendment to *The Residential Tenancies Act, 1973.*

Purpose and Operation of the Commission

The Rent Appeal Commission was established as an independent body to provide landlords and tenants with a process of appeal from orders issued by the Rentalsman or the Provincial Mediation Board. The Commission is composed of nine commissioners who are assigned to participate in and conduct the business of the Commission on a per diem basis as required.

The policy and practice of the Commission since its inception has been to hold hearings in the same community in which the premise under appeal is located. Usually not less than three and not more than five Commissioners hear each appeal. A policy of including Commissioners from Regina, Saskatoon and Yorkton for hearing panels has ensured uniformity in Commission decisions. Hearings of the Commission are open to the public.

The Commission is not bound by any findings of the Rent Review Board or the Office of the Rentalsman. The Commission determines the merits of the facts under consideration in each particular situation and issues a decision it deems to be just and equitable under the circumstances.

The Commission's policy is to provide written reasons for its decisions to all persons directly involved in appeals.

Orders of the Commission may be appealed by the affected persons to the Court of Appeal on a question of law or jurisdiction.

The Year Under Review

Regina and Saskatoon are the only two centres remaining under rent control. Accordingly, the majority of hearings were held in these two cities. In the twenty-nine centres under rent review, decisions of the Provincial Mediation Board may be appealed to the Rent Appeal Commission. This process resulted in hearings in Biggar, Moose Jaw and Prince Albert.

During 1981-82, ninety-seven appeals were completed, a very slight increase over 1980-81.

Statistics

Appeals received	109
Appeals cancelled or withdrawn	7
	102
Backlog carried to next fiscal year	11
	91
Backlog completed from 1980-81	6
Total Appeals Completed	97